

Senate Bill No. 107

Passed the Senate May 15, 1997

Secretary of the Senate

Passed the Assembly July 14, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

An act to amend and repeal Section 9880.2 of the Business and Professions Code, relating to automotive repair.

LEGISLATIVE COUNSEL'S DIGEST

SB 107, Kelley. Automotive repair.

Under existing law, a person engaged in automotive repair is generally required to register with the Director of Consumer Affairs unless specifically exempt from registration. Registration is not required for, among others, a person whose primary business is the wholesale supply of new or rebuilt automotive parts who engages in the remachining of individual automotive parts without compensation for warranty adjustments and who does not engage in repairing or diagnosing malfunctions of motor vehicles or motorcycles, if specified customer notice requirements are met. This exemption will be repealed on January 1, 1998.

This bill would delete the repeal date for this exemption, thereby extending the exemption indefinitely.

The people of the State of California do enact as follows:

SECTION 1. Section 9880.2 of the Business and Professions Code, as amended by Section 1 of Chapter 572 of the Statutes of 1995, is amended to read:

9880.2. The following persons are exempt from the requirement of registration:

(a) An employee of an automotive repair dealer if the employee repairs motor vehicles only as an employee.

(b) A person who solely engages in the business of repairing the motor vehicles of a single commercial, industrial, or governmental establishment, or two or more establishments related by common ownership or corporate affiliation.



(c) A person who is registered pursuant to Chapter 20 (commencing with Section 9800) and whose work is limited to the installation or replacement of a motor vehicle radio, antenna, audio recorder, audio playback equipment, or burglar alarm.

(d) A person whose primary business is the wholesale supply of new or rebuilt automotive parts who solely engages in the remachining of individual automotive parts without compensation for warranty adjustments to those parts and who does not engage in repairing or diagnosing malfunctions of motor vehicles or motorcycles. “Primary business” means the business that accounts for the majority of the company’s gross sales. “Wholesale supply” means the sale, by a seller who possesses a California Resale Permit, of automotive parts to a retailer or jobber for the purpose of resale. However, a person described in this subdivision, prior to commencing work, shall do both of the following:

(1) Provide a notice containing the bureau’s toll-free telephone number to the customer that the person is not regulated by the bureau.

(2) Provide a written description of the remachining services to be performed to the customer.

SEC. 2. Section 9880.2 of the Business and Professions Code, as amended by Section 2 of Chapter 572 of the Statutes of 1995, is repealed.

Approved _____, 1997

Governor

